

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))**

Docket Number (Optional)

99-9

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 6,307,833 Application Number 09/249,895

Issue Date October 23, 2001 Filing Date February 16, 1999

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

10/03/2011 GARIAS 00000000 161350 6307833

The above - Identified patent

01 FC:2552 1425 00 OP
02 FC:1558 185.00 DA 1455 00 OP

☐ Is a reissue of original Patent No. _____ original issue date _____
original application number _____
original filing date _____

☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____
filed on _____

CERTIFICATE OF MAILING (37 CFR 1.89(a))

I hereby certify that this paper (*along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Date

Signature

Typed or Printed Name of Person Signing Certificate

[page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Adjustment date: 10/03/2011 09:19:05
01 FC:1599 00000012 6307833
-2000.00 OP

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

7. OVERPAYMENT

As to any overpayment made please

- OR ☐ Credit to Deposit Account No. _____
- ☒ Send refund check

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED

J. Marcovici
Signature(s) of Petitioner(s)

9/28/11
Date

Janik Marcovici
Typed or printed name(s)

42,841
Registration Number, if applicable

203-259-1800
Telephone Number

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Address

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES

- ☐ Maintenance Fee Payment
- ☐ Surcharge under 37 CFR 1.20(l)(2) (fee for filing the maintenance fee petition)
- ☒ Copy of Change of Correspondence Address dated
9/26/11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT NO.: 6,307,833

ISSUED: October 23, 2001

APPLICATION NO.: 09/249,895

FILING DATE: February 16, 1999

ATTORNEY DOCKET NO.: 99-9

10/03/2011 GARIAS 00000007 161350 6307833
01 FC:1462 400.00 DA

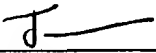
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PETITION FOR RECONSIDERATION UNDER (37 C.F.R. 1.378(e))

This Petition is in response to the decision on petition dated August 5, 2011. Reconsideration of the dismissal is respectfully requested. A properly executed petition to accept the unintentionally delayed payment of the maintenance fee and a statement that the delay was unintentional under 35 U.S.C. § 41(c) are being filed together with this Petition.

The Commissioner is hereby authorized to charge \$400.00 for payment of the Petition fee along with any other fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


Janik Marcovici
Reg. No. 42,841

9/28/11

Date

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Adjustment date: 10/03/2011 GARIAS
09/29/2011 INTEFSW 00004367 161350 09249895
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